

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

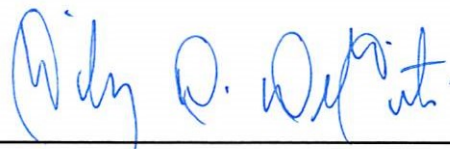
KYRA PRATT,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-20-1128-D
)	
POGUE-BROWN OPERATING)	
COMPANY, LLC, d/b/a CHICKEN)	
EXPRESS, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Before the Court are Defendants Pogue-Brown Operating Company, LLC and Rick Brown's Motion for Partial Dismissal [Doc. No. 8] and Defendant Glenda Brown's Motion to Dismiss [Doc. No. 9] under Fed. R. Civ. P. 12(b)(6). Within 21 days after the Motions were served, Plaintiff filed her First Amended Complaint [Doc. No. 11] as authorized by Fed. R. Civ. P. 15(a)(1)(B). The Court finds that Defendant's Motions directed at the original Complaint are moot. *See Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991) (amended complaint supersedes the original); *see also Predator Int'l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180-81 (10th Cir. 2015); *Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007).

IT IS THEREFORE ORDERED that Defendants' Motions to Dismiss [Doc. Nos. 8 and 9] are DENIED without prejudice to a new filing in response to the First Amended Complaint.

IT IS SO ORDERED this 26th day of February, 2021.



TIMOTHY D. DeGIUSTI
Chief United States District Judge